
**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE	:	No.:2:12-md-02323-AB
PLAYERS' CONCUSSION	:	
INJURY LITIGATION	:	MDL No. 2323
	:	
	:	
	:	
THIS DOCUMENT RELATES TO:	:	
SETH JOYNER,	:	
	:	
PLAINTIFF,	:	
Case No. 2:12-cv-000731-AB	:	

AMENDED NOTICE OF ATTORNEY'S LIEN

Pursuant to the Rules Governing Attorneys' Liens, rules of procedure, and the executed Retainer Agreement dated July 10, 2012, Petitioners, Gene Locks, Esquire, Michael B. Leh, Esquire, and David D. Langfitt, Esquire, of LOCKS LAW FIRM, attorneys for the Plaintiff in the above-entitled action, hereby notify this Court and all parties that they have a lien in this case for reasonable attorney's fees, plus expenses and costs, as set forth in the accompanying Amended Petition to Establish Attorney's Lien.

Respectfully submitted,

LOCKS LAW FIRM

Dated: August 6, 2018

By: /s/ Gene Locks
Gene Locks, Esquire (PA ID No. 12969)
Michael B. Leh, Esquire (PA ID No. 42962)
David D. Langfitt, Esquire (PA ID No. 66588)
THE CURTIS CENTER
601 Walnut Street, Suite 720 East
Philadelphia, PA 19106
(215) 893-0100

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AMENDED PETITION TO ESTABLISH ATTORNEY'S LIEN

NOW, comes, Petitioners, Gene Locks, Esquire, Michael B. Leh, Esquire, and David D. Langfitt, Esquire, of LOCKS LAW FIRM, pursuant to the Rules Governing Attorneys' Liens adopted by the Court on March 6, 2018, rules of procedure, and the executed Retainer Agreement dated July 10, 2012, and states as follows:

- (1) Petitioners are attorneys at law admitted to practice before any court in the State of Pennsylvania, and files this petition to establish their lien for attorney's fees and costs as set forth hereinafter;
- (2) On or about July 10, 2012, Petitioners were retained and employed by Plaintiff, Seth Joyner, pursuant to a Retainer Agreement, to pursue a claim for injuries and damages on Plaintiff's behalf in the NFL Concussion MDL against the NFL and any other responsible parties for any football-related injuries. A copy of the Retainer Agreement, dated July 10, 2012, is attached as Exhibit A.

(3) The Retainer Agreement contains the following terms:

- a. “4. The parties acknowledge and agree that the CLIENT retain the Attorneys on a contingency fee basis, and that CLIENT shall pay Attorneys a fee for their services in any civil action authorized by the CLIENT in an amount equal to 33.33% (thirty-three and one-third) of the gross proceeds of recovery by the CLIENT, whether by settlement, judgment, or otherwise.”
- b. “5. In the event the Attorneys recover attorneys’ fees for the CLIENT, or are awarded attorneys’ fees, the attorneys’ fees recovered shall be applied against the amounts to which the Attorneys would be entitled under this Agreement. If any attorneys’ fee award exceeds the amount of the contingent fee under this Agreement, the Attorneys shall be entitled to the higher of the attorneys’ fee award or the contingency fee.”
- c. “6. The CLIENT understands and agrees that the filing of an action or suit on his behalf will require the expenditure of funds for litigation expenses and costs, such as filing fees, discovery expenses, witness fees, and transcripts. The Attorneys and the CLIENT agree that the Attorneys will initially pay and thus advance all such litigation costs and expenses on the CLIENT’s behalf, and that in the event of a recovery or award, the CLIENT will reimburse the Attorneys for such expenses and costs out of CLIENT’s recovery or award.”
- d. “7. The CLIENT and Attorneys agree that the CLIENT’s responsibility for the payment of attorneys’ fees to the Attorneys is limited to the contingent fee provided in paragraph four (4) and that those sums shall be derived from the CLIENT’s recovery of an award, whether by judgment or settlement.”

(4) From the date Petitioners were authorized to proceed on behalf of Plaintiff, Petitioners have actively and diligently applied themselves to the investigation, preparation, and pursuit of Plaintiff's claims, and have taken all steps necessary to prosecute those claims, document Plaintiff's diagnoses, retrieve medical records, and continue to pursue the best interests of Plaintiff in this matter.

(5) After investigation and preparation, Petitioners filed the instant action on behalf of Plaintiff. On July 11, 2012, Petitioners filed a Short Form Complaint on behalf of Plaintiff. A copy of the Short-Form Complaint is attached as Exhibit B.

(6) The specific services performed required expenses and costs incurred by Petitioners.

(7) Petitioners have incurred expenses and costs in the amount of \$6,280.42, and are detailed as follows:

Expert Fees	\$4,995.00
Travel	\$1,063.44
Postage	\$ 221.98

(8) Plaintiff has recently discharged Petitioners as his attorneys in this matter, and he is now being represented by a new attorney in this action.

(9) Petitioners were not terminated by Plaintiff for cause, and the termination was not due to any malfeasance or other improper action on the part of Petitioners.

(10) Petitioners claim the right to have a lien for attorney's fees, expenses and costs established and enforced upon any sums to be derived from any settlement or judgment obtained or to be obtained by Plaintiff in this action.

WHEREFORE, Petitioners pray:

(1) That an attorney's lien be established;

- (2) That their attorney's lien for attorney's fees, expenses and costs be awarded;
- (3) That the Court order that Petitioners be entitled to enforce their attorney's lien against the proceeds to be derived from any settlement or judgment in this action;
- (4) For such other and further relief as this Court deems just.

Respectfully submitted,

LOCKS LAW FIRM

Dated: August 6, 2018

By: /s/ Gene Locks
Gene Locks, Esquire (PA ID No. 12969)
Michael B. Leh, Esquire (PA ID No. 42962)
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the foregoing Amended Notice of Attorney's Lien and accompanying Amended Petition to Establish Attorney's Lien was filed via the Electronic Case Filing System in the United States District Court for the Eastern District of Pennsylvania, on all parties registered for CM/ECF in the litigation.

Respectfully submitted,

LOCKS LAW FIRM

Dated: August 6, 2018

By: /s/ Gene Locks
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